

OFFICIAL COPY

Fresno, California

December 1, 1998

The Council of the City of Fresno met in joint session with the Redevelopment Agency at the hour of 8:42 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Garry Bredefeld	Councilmember
	Mike Briggs	Vice President (Arrived later)
	Henry Perea	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Councilmember
	Ken Steitz	Councilmember
	Chris Mathys	President (Arrived later)

Dan Fitzpatrick, Agency Executive Director
Jeff Reid, City Manager
Hilda Cantu Montoy, City Attorney
Rebecca Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

APPROVE AGENCY MINUTES OF NOVEMBER 17, 1998)

On motion of Councilmember Bredefeld, seconded by Councilmember Quintero, duly carried, RESOLVED, the Agency minutes of November 17, 1998, approved as submitted.

(“A”) DIRECT AGENCY EXECUTIVE DIRECTOR TO PROVIDE THE)
FOLLOWING INFORMATION - COUNCILMEMBER STEITZ:)
1. CONDITIONAL LOAN COMMITMENT FROM UNITED SECURITY)
BANK AND REGENCY BANK)
2. SIGNED ESCROW INSTRUCTION BETWEEN ALL PARTIES)
3. PROOF OF BIA APPROVAL OF SOVEREIGN IMMUNITY WAIVER)
4. AGREEMENT BETWEEN TOM BEGGS AND TABLE MOUNTAIN)
RANCHERIA)
5. COMMITMENT THAT STATES \$5.5 MILLION, NOT \$5 MILLION))
6. DETAILED BREAKDOWN OF PROPOSED CONSTRUCTION LOAN)
DOCUMENTS FROM UNITED SECURITY BANK AND REGENCY BANK)

Request made by Councilmember Steitz who emphasized it was important to receive the information prior to purchasing properties adding it was very important to the success or non-success of the project. At this point, proceedings were briefly interrupted.

DIRECT STAFF TO RESCHEDULE WORKSHOP ON REDEVELOPMENT -)
COUNCILMEMBER QUINTERO)

Direction made with Agency Director Fitzpatrick stating he would reschedule the workshop in mid-January. Councilmember Bredefeld requested the workshop be scheduled in the afternoon on any day other than a Thursday or Friday.

Proceedings continued on item “A”:

Art Morgan, Project Manager, Kearney Palms Project, clarified the \$5 million versus the \$5.5 million commitment. Brief discussion ensued. Chair Ronquillo stated he was satisfied with information received and ready to move forward, and requested all information be provided to Councilmember Steitz as requested.

(“B”) RECOMMEND APPROVAL OF A CONSULTANT AGREEMENT WITH)
TRI CITY ENGINEERING TO DESIGN ON AND OFF SITE IMPROVEMENTS)
FOR THE KEARNEY PALMS SHOPPING CENTER PROJECT WITHIN THE)
SOUTHWEST FRESNO GNRA REDEVELOPMENT PROJECT AREA)

On motion of Councilmember Bredefeld, seconded by Councilmember Quintero, duly carried, RESOLVED, the Consultant Agreement with Tri City Engineering to design the necessary on and off site public improvements for the Kearney Palms Shopping Center Project with the Southwest Fresno GNRA Redevelopment Project Area hereby approved, and the Agency Executive Director, or his designee, authorized to execute the Consultant Agreement, by the following vote:

Ayes : Bredefeld, Perea, Quintero, Steitz, Ronquillo
Noes : None
Absent : Briggs, Mathys

(“C”) RECEIVE STUDY FOR THE VENTURA/FREEWAY 41 STUDY AREA,)
BOUNDED BY “O” STREET, VENTURA STREET, BROADWAY AND)
FREEWAY 41, AND DIRECT STAFF TO PROCEED WITH THE RECOM-)
MENDATIONS OF THE STUDY (AGENCY ACTION))

A motion and second to receive and proceed with study recommendations was acted upon after brief comments by Councilmember Steitz and Chair Ronquillo who expressed their wholehearted support and commended staff.

On motion of Chair Ronquillo, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the Study for the Ventura/Freeway 41 Study Area received and staff directed to proceed with the recommendation of the Study as outlined in the staff report, by the following vote:

Ayes : Bredefeld, Perea, Quintero, Steitz, Ronquillo
Noes : None
Absent : Briggs, Mathys

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The joint bodies adjourned at 8:56 a.m.

RECESS - 8:56 A.M. - 9:14 P.M. President Mathys arrived.

PRESENTATION OF CERTIFICATES TO TEAGUE ELEMENTARY SCHOOL)
STUDENTS FOR PERFECT ATTENDANCE - PRESIDENT)

Presented.

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The City Council convened in regular session at the hour of 9:20 a.m.

Councilmember Steitz gave the invocation.

Fresno Bee Reporter Don Coleman led the Pledge of Allegiance to the Flag.

PROCLAMATION OF "RONALD GANDOLFO, PH.D. DAY" - COUNCIL-)
MEMBER BREDEFELD)

Read and presented.

RESOLUTION OF COMMENDATION TO DAVID EDWARD ENNS, RECIPIENT)
OF THE BOY SCOUTS OF AMERICA EAGLE AWARD - PRESIDENT MATHYS)

Read and presented.

PROCLAMATION OF "FAMILY CARE GIVERS WEEK")

Read and presented.

PROCLAMATION OF "SUITING UP FOR SUCCESS DAY")

Removed from the agenda.

RESOLUTION RECOGNIZING AND SUPPORTING FUNDS ESTABLISHED)
ON BEHALF OF TIFFANY PERRY, DAUGHTER OF JOYCE AND JIMMY)
PERRY - COUNCILMEMBER PEREA)

To be rescheduled.

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APPROVE COUNCIL MINUTES OF NOVEMBER 17, 1998)

On motion of Councilmember Bredefeld, seconded by Councilmember Steitz, duly carried, RESOLVED, the minutes of November 17, 1998, approved as submitted.

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APPROVE AGENDA:

(5B) DISCUSSION/DIRECTION REGARDING PROPOSED INCREASE IN)
FEES FOR DIRECTOR ASSISTANCE, BUSY LINE VERIFICATION, AND)
EMERGENCY INTERRUPT - COUNCILMEMBER BREDEFELD)

At the request of Councilmember Bredefeld and with Council consensus, the above item to be considered in the afternoon session prior to the 3:15 p.m. item.

(3B) APPROVE AMENDMENTS TO THE FRESNO MUNICIPAL CODE AND)
MASTER FEE RESOLUTION TO CREATE THE SIMPLE TIERED EQUITY)
PROGRAM (STEP), AND THE EMPLOYMENT DEVELOPMENT PROGRAM)
(EDP))
1. *BILL - REPEALING AND ADDING SECTIONS TO THE FRESNO MUNI-)
CIPAL CODE RELATING TO THE SIMPLE TIERED EQUITY PROGRAM (STEP))
AND THE EMPLOYMENT DEVELOPMENT PROGRAM (EDP))
2. *RESOLUTION - 358TH AMENDMENT TO MFS RES. 80-420 ADDING)
SEWER FACILITY CHARGES FOR INDUSTRIAL AND COMMERCIAL USERS)
AND AMENDING VARIOUS SEWER CONNECTION CHARGES)
3. RESOLUTION - AMENDING THE MAP DESIGNATING THE HERNDON)
TRUNK SEWER SERVICE AREA)
4. *RESOLUTION - 359TH AMENDMENT TO MF RES. 80-420 AMENDING)
TRUNK SEWER CHARGES)

City Clerk Klisch advised Items #3 and #4 were being removed from the agenda at the direction of staff, and that Items #1 and #2 would be considered this date as scheduled. So noted. Discussed again later.

(3E) *RESOLUTION - 5TH AMENDMENT TO SALARY RES. 98-161)
INCREASING THE SALARY OF THE CITY MANAGER)

City Clerk Klisch corrected the Resolution as the 6th amendment and not the 5th. So noted and corrected. Vice President Briggs arrived at 9:41 a.m.

(1A-3) RESOLUTION - APPROVING THE APPLICATION FOR GRANT)
FUNDS UNDER THE TRANSPORTATION EQUITY ACT (TEA-21) FOR THE)
21ST CENTURY)

City Clerk Klisch advised the item should have been asterisked (*) and was subject to the Mayor's veto. So noted and corrected.

(3D) APPROVE CONTRACT AWARD FOR ADVERTISING PLACEMENT)
IN SELLAND ARENA - ANHEUSER-BUSCH)

Councilmember Bredefeld requested the item be held over one week to allow several people who would be impacted to make a presentation on the matter. A motion and second to lay the matter over one week at time certain was acted upon after brief discussion.

Councilmember Perea advised prior discussions with both parties indicated consensus to lay the matter over one week, noted one party now wanted to move forward this date, and stated as a matter of courtesy he would support the motion. Vice President Briggs stated he was ready to hear the issue this date as scheduled.

Economic Development Coordinator Webster advised the City was 30 days past the contract period and stated any open issues/concerns of other parties would be cleared up this date, with Councilmember Bredefeld stating his clear understanding by those involved in the contract was issues would not be cleared up this date.

A motion of Councilmember Bredefeld, seconded by Councilmember Perea, to continue the issue to December 8th at a time certain failed, by the following vote:

Ayes	:	Bredefeld, Perea
Noes	:	Briggs, Quintero, Ronquillo, Steitz, Mathys
Absent	:	None

President Mathys advised the issue would be heard in the afternoon session.

RECOGNITION AND COMMENDATION TO CRUISE COMMITTEE CAR CLUBS)
FOR DONATING AND DELIVERING AT LEAST 35 THANKSGIVING FOOD)
BASKETS TO NEEDY FAMILIES THE PAST WEEKEND - COUNCILMEMBER)
QUINTERO)

(2 - 0) Commendation made.

(5A) DIRECT THE DIRECTOR OF PARKS AND RECREATION TO PREPARE)
DOCUMENTATION TO ESTABLISH A COMMUNITY SCIENCE LEARNING)
CENTER AT GRANNY'S PARK, AND FINALIZE COMMITMENTS FROM THE)
CITY TO STABILIZE THE FUNDING FOR THE SCIENCE LEARNING DIRECTOR)
CURRENTLY ASSIGNED TO DICKEY PLAYGROUND - COUNCILMEMBER)
PEREA)

At the request of Councilmember Perea and with Council consensus, the issue to be heard in the afternoon session to accommodate an out of town speaker.

DIRECT STAFF TO SCHEDULE IN ONE WEEK: "ENFORCEMENT OF THE)
NO-SMOKING LAW" - COUNCILMEMBER BREDEFELD)

Direction made with Councilmember Bredefeld expressing his concern the City was not making enforcement a high priority and was setting a very bad example to publicly say so and explained. By Council consensus, the matter set for December 8th at 3:00 p.m. Discussed briefly again after the next issue.

SUPPORT FOR THE DISTRICT ATTORNEY IN ENFORCING THE NEEDLE)
EXCHANGE PROGRAM AND PROSECUTING TO THE FULLEST EXTENT)
OF THE LAW - COUNCILMEMBER STEITZ)

Support expressed.

ENFORCEMENT OF THE NO-SMOKING LAW - CITY MANAGER REID)

City Manager Reid clarified staff had never been directed **not** enforce the law, emphasized the law was being enforced, and requested Council give direction to the Police Department to make enforcement a high priority issue. Brief discussion ensued.

(3B) APPROVE AMENDMENTS TO THE FRESNO MUNICIPAL CODE AND)
MASTER FEE RESOLUTION TO CREATE THE SIMPLE TIERED EQUITY)
PROGRAM (STEP), AND THE EMPLOYMENT DEVELOPMENT PROGRAM)
(EDP))
1. *BILL - REPEALING AND ADDING SECTIONS TO THE FRESNO MUNI-)
CIPAL CODE RELATING TO THE SIMPLE TIERED EQUITY PROGRAM (STEP))
AND THE EMPLOYMENT DEVELOPMENT PROGRAM (EDP))
2. *RESOLUTION - 358TH AMENDMENT TO MFS RES. 80-420 ADDING)
SEWER FACILITY CHARGES FOR INDUSTRIAL AND COMMERCIAL USERS)
AND AMENDING VARIOUS SEWER CONNECTION CHARGES)
(3. RESOLUTION - AMENDING THE MAP DESIGNATING THE HERNDON)
TRUNK SEWER SERVICE AREA; AND 4. RESOLUTION - AMENDMENT TO)
MF RES. 80-420 AMENDING TRUNK SEWER CHARGES))

Upon question of City Attorney Montoy, it was clarified the issues relating to the Herndon Trunk Sewer (Items #3 and #4) were removed from the agenda earlier at the request of staff and the BIA.

On motion of Councilmember Bredefeld, seconded by Councilmember Steitz, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

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ADOPT CONSENT CALENDAR:

(1A-6) *RESOLUTION - 49TH AMENDMENT TO AAR 98-159 APPROPRIATING \$15,100 OF STATE OF CALIFORNIA REIMBURSEMENT FUNDS TO PAY FOR THE 911 INSTALLATIONS)
)
)

(5B) DISCUSSION/DIRECTION REGARDING PROPOSED INCREASE IN FEES FOR DIRECTOR ASSISTANCE, BUSY LINE VERIFICATION, AND EMERGENCY INTERRUPT - COUNCILMEMBER BREDEFELD)
)
)

Councilmember Ronquillo advised he would recuse himself from discussions on the above items due to a conflict of interest as his wife worked for Pacific Bell.

(1A-1) APPROVE APPOINTMENT OF JEFF A. MELENDEZ TO THE ROOSEVELT IMPLEMENTATION COMMITTEE - COUNCILMEMBER QUINTERO)
)
)

(1A-2) APPROVE APPOINTMENTS OF PATRICIA LAMONT TO THE FRESNO WORKFORCE DEVELOPMENT BOARD, AND SHIRLEY KELLY TO THE SOUTHWEST/EDISON CITIZEN PLANNING COMMITTEE - COUNCILMEMBER RONQUILLO)
)
)
)

(1A-3) *RESOLUTION NO. 98-352 - AUTHORIZING SUBMITTAL OF THE GRANT APPLICATIONS TO THE COUNCIL FOR FRESNO COUNTY GOVERNMENTS (UNDER TEA-21) FOR FUNDING OF THE TRANSPORTATION ACT OF THE 21ST CENTURY PROGRAMS INCLUDING THE SURFACE TRANSPORTATION PROGRAM, CONGESTION MITIGATION AND AIR QUALITY PROGRAM AND THE TRANSPORTATION ENHANCEMENT PROGRAM; AND) AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AND) SUBMIT ALL DOCUMENTS, INCLUDING BUT NOT LIMITED TO, APPLICATIONS, AGREEMENTS, AMENDMENTS AND PAYMENT REQUESTS WHICH) MIGHT BE NECESSARY FOR THE COMPLETION OF THE PROJECT)

(1A-4) *RESOLUTION NO. 98-353 - 47TH AMENDMENT TO AAR 98-159 APPROPRIATING \$19,900 TO ADD AN ADMINISTRATIVE CLERK POSITION TO THE TRAFFIC OFFENDER PROGRAM)
)
1. *RESOLUTION NO. 98-354 - 6TH AMENDMENT TO PAR 98-160 ADDING ONE FULL-TIME PERMANENT ADMINISTRATIVE CLERK II POSITION IN THE POLICE DEPARTMENT FOR THE TRAFFIC OFFENDER PROGRAM)
)

(1A-5) *RESOLUTION NO. 98-355 - 7TH AMENDMENT TO PAR 98-160 CHANGING THE AUTHORIZATION DATE FOR FOUR (4) POLICE OFFICER POSITIONS OF THE COPS MORE 98 GRANT FROM APRIL TO JANUARY 1, 1999)
)
)
)

(1A-7) ***RESOLUTION NO. 98-357** - 48th AMENDMENT TO AAR 98-159 APPRO-)
PRIATING \$89,500 OF FEDERAL ASSET FORFEITURE FUNDS FOR FEDERAL)
FISCAL YEAR BEGINNING OCTOBER 1, 1998, TO PAY FOR THE CONTINUED)
OPERATION OF THE M.A.G.E.C. PROGRAM)

(1A-8) APPROVE STATE OF CALIFORNIA SUPPLEMENTAL LAW ENFORCE-)
MENT SERVICES FUND SPENDING PLAN)

(1A-9) ***RESOLUTION NO. 98-358** - 51ST AMENDMENT TO AAR 98-159 APPRO-)
PRIATING \$42,600 TO SUPPORT THE IMPLEMENTATION OF THE PROS-)
TITUTION ABATEMENT AND REHABILITATION PROGRAM)

(1A-10) ***RESOLUTION NO. 98-359** - 5TH AMENDMENT TO SALARY RES.)
98-161 ESTABLISHING A 12 MONTH PROBATIONARY PERIOD FOR THE)
CLASS OF SPECIAL GUARD)

(1A-11) PROPOSED REAPPOINTMENT OF COUNCILMEMBER QUINTERO)
TO THE FRESNO MADERA AREA AGENCY ON AGING BOARD, AND)
APPOINTMENT OF WILSON HANNA IV TO THE HISTORIC PRESERVATION)
COMMISSION - MAYOR PATTERSON (FOR INTRODUCTION))

(1A-12) ***RESOLUTION NO. 98-360** - 52ND AMENDMENT TO AAR 98-159)
APPROPRIATING \$5,600 FOR DEVELOPMENT FEES RELATED TO THE)
EXPANSION OF THE NORTHWEST DISTRICT POLICE STATION - VICE)
PRESIDENT BRIGGS)

(1A-13) **RESOLUTION NO. 98-361** - APPROVING FINAL MAP AND SUBDI-)
VISION AGREEMENT FOR TRACT NO. 4844, A 47-LOT SINGLE-FAMILY)
RESIDENTIAL, GATED PRIVATE STREET, NONCLUSTER PLANNED)
DEVELOPMENT SUBDIVISION AT THE NORTHWEST CORNER OF N.)
CHESTNUT AND E. TEAGUE AVENUES, AND ACCEPTING THE DEDICATED)
PUBLIC USES THEREIN)
1. AUTHORIZE THE PUBLIC WORKS DIRECTOR TO EXECUTE THE)
SUBDIVISION AGREEMENT AND THE COVENANT FOR LANDSCAPE)
MAINTENANCE, AND AUTHORIZE THE DEVELOPMENT DIRECTOR TO)
EXECUTE THE COVENANTS FOR THE RIGHT-TO-FARM AND TO DEFER)
THE PAYMENT OF SEWER CONNECTION CHARGES, WATER CONNECTION)
CHARGES, UGM FEES AND CERTAIN DEVELOPMENT FEES)

(1A-14) ***RESOLUTION NO. 98-362** - 53RD AMENDMENT TO AAR 98-159)
APPROPRIATING \$15,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT)
(CDBG) FUNDS TO THE TOWER DISTRICT LIGHTING PROGRAM)

(1A-15) APPROVE EXTENSION OF THE TEMPORARY USE PERMIT ISSUED)
BY THE CITY TO AIR TERMINAL SERVICES, INC. TO OPERATE AN ESPRESSO)
BAR AT FRESNO YOSEMITE INTERNATIONAL AIRPORT/FRESNO AIR)
TERMINAL)

(1A-16) PROPOSED APPOINTMENT OF NORA RIVERA TO THE ROOSEVELT)
IMPLEMENTATION COMMITTEE - COUNCILMEMBER QUINTERO (FOR)
INTRODUCTION))

(1A-17) *RESOLUTION NO. 98-363 - 54TH AMENDMENT TO AAR 98-159)
APPROPRIATING \$20,000 FROM DISTRICT 2'S INFRASTRUCTURE CAPITAL)
TO PROVIDE LIGHTING AT THE AH-1 BASIN DOG PARK - PRESIDENT)
MATHYS)

On motion of Councilmember Bredefeld, seconded by Councilmember Steitz, duly carried, RESOLVED, the
above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : None

(1A-6) *RESOLUTION NO. 98-356 - 49TH AMENDMENT TO AAR 98-159 APPRO-)
PRIATING \$15,100 OF STATE OF CALIFORNIA REIMBURSEMENT FUNDS TO)
PAY FOR THE 911 INSTALLATIONS)

On motion of Councilmember Bredefeld, seconded by Councilmember Steitz, duly carried, RESOLVED, the
above entitled Resolution No. 98-356 hereby adopted, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Steitz, Mathys
Noes : None
Absent : None
Abstain : Ronquillo

CONSENT CALENDAR - BILLS FOR INTRODUCTION:

(1B-1) *BILL NO. B-104 - AMENDING THE FRESNO MUNICIPAL CODE)
RELATING TO MOBILE HOME RENT REVIEW AND STABILIZATION)
AND AUTOMATIC PASS-THROUGH OF ANNUAL GOVERNMENT COSTS)

(1B-3) *BILL NO. B-105 - AMENDING ARTICLE 17 OF THE FRESNO MUNI-)
CIPAL CODE RELATING TO MEMBERSHIP BY PUBLIC SAFETY OFFICERS/)
SUPERVISORS IN THE FIRE AND POLICE RETIREMENT SYSTEM)
1. *BILL NO. B-106 - AMENDING ARTICLE 17A OF THE FRESNO MUNICIPAL)
CODE RELATING MEMBERSHIP BY PUBLIC SAFETY OFFICERS/SUPER-)
VISORS IN THE FIRE AND POLICE RETIREMENT SYSTEM)

On motion of Councilmember Bredefeld, seconded by Councilmember Steitz, duly carried, RESOLVED, the above entitled Bill Nos. B-104, B-105, and B-106 introduced before the Council and laid over, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

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(9:10 A.M.) APPEARANCE BY ANNE GOODMAN REQUESTING)
COUNCIL RECONSIDERATION OF APPROVAL OF THE AGREEMENT)
OF THE SHAW/MARKS UNDERPASS PROJECT)

Ms. Goodman requested Council reconsider the agreement as related to the ten street crossing closures, specifically requesting that the Lewis Street crossing be left open for the benefit of the surrounding neighborhood, and expressed concern with train horns. Upon question of Councilmember Ronquillo, City Attorney Montoy clarified a binding agreement had been approved with the railroad company and recommended staff meet further with Ms. Goodman on the crossing closure issue. Brief discussion ensued on contacting Lewis Avenue area businesses and on the need to limit train horn blowing.

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(9:15 A.M.) APPEARANCE BY KURT SAINDON TO DISCUSS A CHANGE)
IN THE POLICY FOR REPORTING MISSING CHILDREN)

Mr. Saindon advised of the five categories for missing children and requested all missing children be categorized as abducted for quicker action by the police and CHASERS and elaborated. There was no action taken.

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(9:20 A.M.) APPEARANCE BY STANTON REYNOLDS REQUESTING)
REMOVAL OF A WALL AT THE END OF ELEVENTH STREET NORTH)

Mr. Reynolds clarified he was requesting a solid wall, not removal of the wall, stating the existing wall with a roll door in the middle was illegally constructed, and submitted paperwork in support of his claim, copies of which are on file in the office of the City Clerk.

Upon question, Housing and Neighborhood Revitalization Manager Todd stated the wall was legal. Brief discussion ensued and staff was directed to look into the matter further and contact Mr. Stanton.

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UNSCHEDULED ORAL COMMUNICATIONS:

APPEARANCE BY AL GALVEZ, PACIFIC GAS & ELECTRIC CO.,)
REGARDING ANTICIPATED WET WINTER WEATHER)

Appearance made with Mr. Galvez distributing an informational “98-99 Winter Watch” package to Council and advising P.G. & E. was prepared and ready to respond to anticipated upcoming situations.

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(10:00 A.M.) HEARING ON REZONING APPLICATION NO. A-98-34, FILED)
BY DEWAYNE ZINKIN, AND MITIGATED NEGATIVE DECLARATION FOR)
ENVIRONMENTAL ASSESSMENT NO. R-98-34, C-98-208, TO AMEND)
DISTRICT BOUNDARIES FROM AE-20/UGM TO C-P/UGM/CZ, PROPERTY)
LOCATED ON THE NORTH SIDE OF N. FORT WASHINGTON RD. BETWEEN)
N. FRIANT ROAD AND E. CHAMPLAIN DRIVE)
1. BILL NO. B-107 - ORDINANCE NO. 98-90 - AMENDING THE OFFICIAL)
ZONE MAP TO REZONE THE SUBJECT PROPERTY FROM AE-20/UGM TO)
C-P/UGM/CZ)

President Mathys announced the time had arrived to consider the issue and opened the hearing. Upon question of Councilmember Bredefeld, Supervising Planner Beach stated Friant Avenue would landscaped once development commenced. Councilmember Ronquillo briefly left the meeting at 10:22 a.m.

Councilmember Bredefeld noted for the record receipt of a letter from Linda Minier relative to notification, a copy of which is on file in the office of the City Clerk. Upon question, Mr. Beach clarified the notification process and stated extensive notification was made, with Councilmember Bredefeld concurring.

Upon call, no one wished to be heard and President Mathys closed the hearing.

On motion of Councilmember Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, the mitigated Negative Declaration for Environmental Assessment No. R-98-34, C-98-208 hereby approved; and the above entitled Bill No. B-107 rezoning the subject property from AE-20/UGM to C-P/UGM/cz subject to the recordation of a zoning contract to assure development of the property consistent with the development plan provided by Conditional Use Permit No. C-98-208 and the mitigation measures identified by Environmental Assessment No. A-98-08, R-98-10 hereby adopted as Ordinance No. 98-90, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Steitz, Mathys
Noes : None
Absent : Ronquillo

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(3A) *BILL NO. B-103 - ORDINANCE NO. 98-91 - AMENDING THE)
FRESNO MUNICIPAL CODE RELATING TO SEWAGE AND WATER)
DISPOSAL)

On motion of Councilmember Steitz, seconded by President Mathys, duly carried, RESOLVED, the above entitled Bill No. B-103 adopted as Ordinance No. 98-91, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Steitz, Mathys
Noes : None
Absent : Ronquillo

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(3B) APPROVE AMENDMENTS TO THE FRESNO MUNICIPAL CODE AND)
MASTER FEE RESOLUTION TO CREATE THE SIMPLE TIERED EQUITY)
PROGRAM (STEP), AND THE EMPLOYMENT DEVELOPMENT PROGRAM)
(EDP))
1. *BILL NO. B-108 - REPEALING AND ADDING SECTIONS TO THE FRESNO)
MUNICIPAL CODE RELATING TO THE SIMPLE TIERED EQUITY PROGRAM)
(STEP) AND THE EMPLOYMENT DEVELOPMENT PROGRAM (EDP))
2. *RESOLUTION - 358TH AMENDMENT TO MFS RES. 80-420 ADDING)
SEWER FACILITY CHARGES FOR INDUSTRIAL AND COMMERCIAL USERS)
AND AMENDING VARIOUS SEWER CONNECTION CHARGES)

A motion and second to introduce the proposed bill was acted upon after brief discussion. Councilmembers Steitz, Bredefeld and President Mathys commended the Mayor, City Manager and staff on the proposal stating this was the direction to go and the way to make Fresno business friendly. Councilmember Ronquillo returned to the meeting at 10:27 a.m. City Manager Reid commended Ron Anderson and Jim Bier, and upon question, advised of credits offered to customers. Councilmember Ronquillo stated his support and commended staff.

On motion of Councilmember Steitz, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above entitled Bill No. B-108 introduced before the Council and along with the Resolution laid over, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : None

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Visiting students from Teague Elementary School were recognized and welcomed.

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(10:30 A.M.) HEARING ON REZONING APPLICATION NO. R-98-28, FILED)
BY TREND HOMES, INC., TO REZONE 46 ACRES OF PROPERTY LOCATED)
ON BOTH SIDES OF W. SIERRA BETWEEN N. CORNELIA AND N. CECELIA)
AVENUES)

**1. BILL NO. B-109 - ORDINANCE NO. 98-92 - AMENDING THE OFFICIAL)
 ZONE MAP TO REZONE THE SUBJECT PROPERTY FROM AE-5/UGM TO)
 R-1/UGM AND R-2/UGM)**

President Mathys announced the time had arrived to consider the issue and opened the hearing.

Planner Wahlenmaier responded to questions of Councilmember Bredefeld relative to type of development and proximity to the railroad tracks, and mitigation measures. Councilmember Bredefeld expressed his concerns stating he was surprised homes were continuing to be built near railroad tracks citing the noise aspect, and noted the school district felt development fees were insufficient to provide needed facilities for new students. **(3 - 0)** Mr. Wahlenmaier responded to concerns, and President Mathys briefly commented on the issue. Councilmember Bredefeld stated based on the noise and concerns of the school district, he would oppose the project.

Jim Logan, representing Trend Homes, explained the sound mitigation measures and spoke in support of the project. Upon question of Councilmember Steitz, Mr. Logan stated home buyers would have prior knowledge of the proximity of the homes to the railroad tracks. Brief discussion ensued.

Upon call, no one else wished to be heard and President Mathys closed the hearing.

On motion of Vice President Briggs, seconded by Councilmember Steitz, duly carried, RESOLVED, certification is hereby made that prior to taking action on the proposed rezoning, Council considered the mitigated negative declaration issued on October 21, 1998, and adopted by the Planning Commission on November 18, 1998, for Environmental Assessment No. T-4514, R-98-27; and the above entitled Bill No. B-109 approving Rezoning Application No. R-98-28 to become effective upon compliance with the requirements of Fresno Municipal Code Section 12-403-K and L for the remainder parcel of Vesting Tentative Tract No. 4866 and to become effective for a portion of Vesting Tentative Tract No. 4866 upon recordation of a final map or maps of Vesting Tentative Tract Map No. 4866/UGM for any portion of the property encompassed by said tentative tract map for which a final is recorded, hereby adopted as Ordinance No. 98-92, by the following vote:

Ayes	:	Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	Bredefeld
Absent	:	None

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Councilmember Quintero thanked Vice President Briggs for the opportunity to serve with him, commended him for his professionalism, and wished him well in his new endeavor.

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**(3C) REPORT ON THE STATUS OF THE UTILITY BILLING AND COLLECT-)
 TIEN DIVISION'S SATELLITE PAYMENT CENTER)
 1. DIRECT STAFF TO DISCONTINUE THE RFP PROCESS FOR OUTSIDE)
 CONTRACTOR TO STAFF THE SATELLITE UTILITY FUNCTION - COUNCIL-)
 MEMBER PEREA)**

Councilmember Perea reviewed the background of the issue, stated there was never a question or doubt the site would be located at Manchester Center based on a staff study and recommendation, commented on the issue of an RFP coming up at the last minute, and expressed his concern with the delay stating politics were being played and elaborated, and emphasized citizens were the ones being affected and not him. A motion and second to discontinue the RFP process for contractors to staff the satellite utility function was acted upon after discussion. Councilmember Perea stated the location of the center should be scheduled and determined at the next meeting.

Director of Administrator Services/Controller Souza concurred staff had determined Manchester Center was the best site based on demographics, etc.; noted during budget hearings Manchester Center had not been officially designated as the site; refuted Councilmember Perea's comments stating he and his staff were not part of "punishing" him; apologized for the delay; and clarified the RFP process stating there was no plan to staff the center with outside contract people.

Lengthy discussion ensued with Mr. Souza responding to Council questions and concerns relative to reasons for a satellite office/pay stations, percentage of 48-hour paying customers, provisions of the RFP relative to affect on City labor force, purpose of the RFP, designating Manchester Center as the site and including it in the motion, RFP provision for city-wide access, drop-off payment areas with collection by City staff, and contracting out by Pacific Bell and P.G. & E. Councilmember Bredefeld made an amendment to the motion to include designating Manchester Center as the site which was accepted and subsequently withdrawn.

City Manager Reid expressed his concern with comments made by Councilmember Perea stressing there had been no subterfuge, noted there had been much confusion on the issue, and stressed a record number of improvements had been made in Councilmember Perea's district (and District 3) and to say otherwise was reprehensible.

Assistant City Attorney Avila advised the amendment to include the Manchester site in the motion was not permissible this date under the item as listed and recommended it be set for another time, whereupon Councilmember Perea directed staff to schedule the issue on the agenda in one week

Councilmember Ronquillo briefly commented on the matter stating this was a city-wide issue based on customer convenience, concurred Manchester Center had been focused upon as the site, and stated if Council wanted to go in another direction the site and effect of an RFP on the City's labor should be separated. President Mathys clarified if the RFP process were to be continued it would not mean inclusion of outside contract staffing.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, staff directed to discontinue the RFP process for outside contractor to staff the satellite utility function, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Ronquillo, Mathys
Noes	:	Briggs, Steitz
Absent	:	None

Upon question of Mr. Souza, the issue of the Manchester site was scheduled for December 8th at 3:15 p.m.

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(10:45 A.M.) CONTINUED HEARING TO CONSIDER A RESOLUTION)
APPROVING A REVISED FREEWAY AGREEMENT WITH THE STATE OF)
CALIFORNIA FOR ROUTE 180, FROM CHESTNUT TO TEMPERANCE)
AVENUES (CONTINUE TO JANUARY 5, 1999, AT 10:00 A.M.))

(4 - 0) President Mathys announced the time had arrived to consider the issue, opened the hearing, and noted a request to continue. Upon call, no one wished to be heard and President Mathys closed the hearing.

On motion of President Mathys, seconded by Councilmember Steitz, duly carried, RESOLVED, the hearing to consider a revised Freeway Agreement with the State of California for Route 180 from Chestnut to Temperance Avenues continued to January 5, 1999, at 10:00 a.m., by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

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(11:00 A.M. #1) HEARING ON PLAN AMENDMENT NO. A-98-019 AND)
REZONING APPLICATION NO. R-98-016, FILED BY CORDELLA HACKETT,)
PROPERTY LOCATED AT 3225 AND 3235 E. GETTYSBURG AVENUE)
1. BILL NO. B-110 - ORDINANCE NO. 98-93 - AMENDING THE FRESNO AIR)
TERMINAL AIRPORT AND ENVIRONS PLAN TO ALLOW LARGE DAY)
CARE CENTERS WITHIN THE APPROACH PROTECTION ZONE (APZ) IV)
(USE CURRENTLY PROHIBITED))
2. BILL NO. B-111 - ORDINANCE NO. 98-94 - AMENDING THE OFFICIAL)
ZONE MAP TO REZONE THE SUBJECT PROPERTY FROM R-1 TO C-P)

President Mathys announced the time had arrived to consider the issue and opened the hearing. A motion an second to approve staff's recommendation was acted upon after brief comments by staff. Supervising Planner Beach advised of findings relative to issues of noise and safety stating they had been addressed.

Upon call, no one else wished to be heard and President Mathys closed the hearing.

On motion of Councilmember Steitz, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the mitigated negative declaration for Environmental Assessment No. A-98-19 and R-98-16, including specific findings called for to override the finding of consistency by the Airport Land Use Commission approved; and the above entitled Bill Nos. B-110 and B-111 hereby adopted as Ordinance Nos. 98-93 and 98-94, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

- - - -

(3E) *RESOLUTION NO. 98-364 - 5TH AMENDMENT TO SALARY RES.)
98-161 INCREASING THE SALARY OF THE CITY MANAGER)

President Mathys advised the proposed increase was \$5,600 a year. Councilmember Ronquillo commented on the history of the city manager's salary and on partisan politics, and stated he would not support an increase until he saw a change in terms of building consensus with Council and the community. Councilmember Quintero stated his support for the increase citing the amount of infrastructure work conducted and the City Manager's efforts and responsiveness. A motion to adopt the resolution was acted upon after additional discussion.

Councilmember Ronquillo, City Attorney Montoy and City Manager Reid responded to questions of Councilmember Bredefeld relative to salaries of the Agency Director, City Attorney and City Manager, and stated he too would be inclined to support an increase if there were greater communication, collaboration and more respect for the role of the City Council, adding this was not personal. Councilmember Perea stated he too would not support an increase stating professional employees and managers had not received an increase in three years, and echoed comments made by Councilmembers Ronquillo and Bredefeld.

President Mathys stated his support for increase citing the great strides the City has made and Mr. Reid's leadership and efforts on city-wide issues, specifically those in his district which he named. Councilmember Steitz expressed his support stating those who were not supporting the increase were being hypocritical as they supported raises for the City Attorney and Agency Director and explained. Councilmember Ronquillo briefly responded.

On motion of Councilmember Quintero, seconded by President Mathys, duly carried, RESOLVED, the above entitled Resolution No. 98-364 hereby adopted, by the following vote:

Ayes	:	Briggs, Quintero, Steitz, Mathys
Noes	:	Bredefeld, Perea, Ronquillo
Absent	:	None

- - - -

(11:30 A.M.) APPROVE EXTENSION OF THE RECYCLING SERVICES)
AGREEMENT WITH BFI WASTE SERVICES)

A motion and second to approve staff's recommendation was subsequently amended and acted upon. Interim Public Utilities Director Anderson responded to Council questions relative to reason/need for the extension, approving a 6-month extension, issuing an RFP in a timely manner, the Blue Ribbon Committee on Competitive Bidding, numerous extensions without an agreement, and strategy to address the 50% diversion. Councilmember Perea recommended an amendment to the motion to approve the one year extension *excluding* the month-to-month extensions beyond 12/1/99.

Upon question, Keith Hester, BFI Vice President, stated he had no problem with the requested amendment for a one year extension only.

Brief discussion ensued on the process and timeline for an RFP, need to move in the direction of green waste, and on co-composting, with City Attorney Montoy and City Manager Reid responding to questions.

On motion of Councilmember Bredefeld, seconded by Councilmember Steitz, duly carried, RESOLVED, staff recommendation for a one year extension of the current agreement to December 31, 1999, hereby approved, and all other terms and conditions to remain in full force and effect, **as amended**, deleting the ability to extend the agreement beyond 12/31/99, on a month-to-month basis at the City's discretion with a 60-day written notice, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

Councilmember Perea stated based on comments made he would schedule the issue of a Green Waste Program in February.

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(11:00 A.M. #2) PRESENTATION OF SPECIAL PROCLAMATION BY)
PRESIDENT MATHYS TO VICE PRESIDENT BRIGGS)

Presentations made by President Mathys and friends of Assemblyman-Elect Briggs, with Councilmembers commending and extending their congratulations. **(5 - 0)** Vice President Briggs commented on his tenure on the Council and various issues and thanked everyone.

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LUNCH RECESS - 12:22 P.M. - 2:10 P.M.

CLOSED SESSION:

A) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - GOVERNMENT)
CODE SECTION 54957 - VICE PRESIDENT BRIGGS: TITLE: CITY CLERK)

(B) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -)
GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) - CASE NAME:)
JULIA SUCILLA, ET AL. V. CITY OF FRESNO, ET AL.)

(C) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -)
GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (b):)

1. CLAIM O MICHAEL NEVILLE)
2. CLAIM OF ANDREA NEVILLE)
3. CLAIM FROM THE ESTATE OF THOMAS NEVILLE)
4. LANGO V. CITY OF FRESNO)
5. CLAIM OF JOSEPH SAHAKIAN)
6. CLAIM OF MOHAMMED HAUTER)
7. INTEGRATED GRAIN AND MILLING CO., INC. ET AL. V. CITY OF FRESNO)

The City Council met in closed session in Room 2125 at the hour of 2:10 p.m. to consider the above issues and reconvened in regular open session at 2:59 p.m.

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(3D) APPROVE CONTRACT AWARD FOR ADVERTISING PLACEMENT)
IN SELLAND ARENA - ANHEUSER-BUSCH)

Convention Center Director Valdez reviewed the staff report as submitted. A motion and second to approve Option 1 of staff's recommendation was acted upon after discussion. City Attorney Montoy clarified and corrected the underlined wording in Option 1 to read: "...with Anheuser-Busch, Inc. subject to the execution of the attached amendment", instead of "and approve the attached amendment ...", which was so noted.

Mr. Valdez and Ms. Montoy responded to a question of Councilmember Ronquillo relative to the hockey agreement and soliciting advertisers clarifying the Fresno Falcons could not sell any advertising that conflicted with the scoreboard advertising, of which Anheuser-Busch was one.

The General Manager of the Fresno Falcons expressed concern with the provision stating this was a first that he had ever seen emphasizing they had exclusive inventory for hockey wherein their sponsors were excluded from advertising on, and requested complete control over their hockey inventory.

Councilmembers Bredefeld and Perea advised they tried to delay the matter one week to allow the affected parties to work things out but Council denied the delay and stated they would not support the motion and explained. Councilmember Perea added this was not meant to reflect negatively on Mr. Donaghy or his operation. Councilmember Ronquillo stated contrary to his earlier vote, he would support delaying the issue.

A substitute motion of Councilmember Ronquillo, seconded by Councilmember Perea, to delay the matter one week failed, by the following vote:

Ayes	:	Bredefeld, Perea, Ronquillo
Noes	:	Briggs, Quintero, Steitz, Mathys
Absent	:	None

On motion of President Mathys, seconded by Councilmember Steitz, duly carried, RESOLVED, staff authorized to ratify the execution of an agreement with Anheuser-Busch, Inc. subject to execution of the amendment contained in the staff report for the placement of advertising in Selland Arena, by the following vote:

Ayes	:	Briggs, Quintero, Ronquillo, Steitz, Mathys
Noes	:	Bredefeld, Perea
Absent	:	None

- - - -

(1B-2) *BILL - AMENDING THE FRESNO MUNICIPAL CODE RELATING)
TO PUBLIC NUISANCES, BY DECLARING A PAY PHONE, WHEREIN)
CERTAIN CONDITIONS EXIST, TO BE A PUBLIC NUISANCE)

Councilmember Steitz questioned the ability to enforce the ordinance, with City Attorney Montoy stating there were a variety of factors that would subject telephones to the public nuisance abatement procedures and advised some provisions needed to be worked on to see if they could be enforced and explained, and added there were other provisions that could definitely be enforced. Councilmember Steitz made a motion to introduce the ordinance *as amended* deleting Numbers (1), (2) and (3) of subsection (h) on page 1 of the ordinance.

Councilmember Ronquillo commented on the issue and problems encountered in his district and made a substitute motion to introduce the ordinance as proposed, which was seconded by Councilmember Perea..

Councilmember Quintero stated a process was needed to inform the City of plans to install public telephones and locations prior to installations. Vice President Briggs briefly left the meeting at 3:18 p.m. Brief discussion ensued on modifying the ordinance further.

On motion of Councilmember Perea, seconded by President Mathys, duly carried, RESOLVED, the above entitled bill laid over one week to allow Council to submit concerns to staff, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	Briggs

- - - -

(3:00 P.M.) BILL - AMENDING THE FRESNO MUNICIPAL CODE)
RELATING TO ESTABLISHMENT OF RESIDENTIAL WATER RATES -)
PRESIDENT MATHYS)

President Mathys briefly reviewed the background of the issue.

Mr. Leone advised his original concern was the legality of the current ordinance, and stated all he was requesting was fairness for all customers affected by the subsidized fee to be able to appeal. City Attorney Montoy stated the policy for assessing rates was legal, and brief discussion ensued on changing the lot size limitations. Ms. Montoy recommended the ordinance be referred back to staff to work with Mr. Leone and reschedule the issue, with Council consensus. Vice President Briggs returned to the meeting at 3:26 p.m.

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(5A) DIRECT THE DIRECTOR OF PARKS AND RECREATION TO PREPARE)
DOCUMENTATION TO ESTABLISH A COMMUNITY SCIENCE LEARNING)
CENTER AT GRANNY'S PARK, AND FINALIZE COMMITMENTS FROM THE)
CITY TO STABILIZE THE FUNDING FOR THE SCIENCE LEARNING DIRECTOR)
CURRENTLY ASSIGNED TO DICKEY PLAYGROUND - COUNCILMEMBER)
PEREA)

1. DEVELOP LONG-TERM STRATEGY TO EXPAND THE SCIENCE)
LEARNING CENTER INTO OTHER PARTS OF THE CITY)
2. REPORT BACK TO COUNCIL (ON 12/8/98) *IN TWO WEEKS*)

Councilmember Perea briefly reviewed the background of the issue and advised the National Science Foundation had agreed to open a second center at Granny's park which would be a \$100,000 investment in Fresno.

Mr. Brennan, National Science Foundation, San Francisco, explained the purpose of the Foundation, **(6 - 0)**, commented on the success of the center at Dickey Park adding it had the potential to become a national model, and advised of their commitment to replicate the center at Granny's park. Vice President Briggs briefly left the meeting at 3:31 p.m. Councilmember Perea reiterated his support.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, **RESOLVED**, the Director of Parks and Recreation directed to: (1) prepare documentation/agreements to establish a Community Science Learning Center at Granny's Park and finalize commitments from the City of Fresno to stabilize the funding in the amount of \$30-35,000 for the Science Learning Director currently assigned to Dickey Playground; and (2) return in two weeks for final approval, or return to Council if additional time is needed in working with the National Science Foundation on a plan to expand the concept throughout the City and other Council districts, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	Briggs

Mr. Burton expressed his support.

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- (5B)** DISCUSSION/DIRECTION REGARDING PROPOSED INCREASE IN)
FEES FOR DIRECTORY ASSISTANCE, BUSY LINE VERIFICATION, AND)
EMERGENCY INTERRUPT - COUNCILMEMBER BREDEFELD)

Councilmember Ronquillo recused himself from proceedings due to a conflict of interest. Councilmember Bredefeld reviewed the issue stating Council should officially oppose the increases and made a motion to do so. Vice President Briggs returned to the meeting at 3:37 p.m.

Speaking in support of Pacific Bell, the increases and requesting Council to remain neutral were: Bob Christofferson, Economic Development Corp.; Janice Emerzian, Ed.D., Director, Disabled Students Programs and Services, Fresno City College; Bill Daily, 1050 E. Herndon; Georgia Johnston, Executive Vice President of Communications Workers of America; Nora Morgan, 2144 S. Tupman; and Eric Johnson, Pacific Bell employee., who questioned what purpose was being served by Council considering the issue and elaborated.

Brief discussion ensued on effects on the elderly, importance of a public outreach program for exemptions, and comparison of Pac Bell's rates with other telephone companies, with Mr. Johnson responding to questions.

Vice President Briggs commented on the issue and cautioned Council about taking an official stand when they had no jurisdiction over the matter, and made a motion to discontinue discussions and move on to the next item.

On motion of Vice President Briggs, seconded by Councilmember Steitz, duly carried, RESOLVED, discussion on the issue terminated and Council to move to the next item on the agenda, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Steitz, Mathys
Noes	:	None
Absent	:	Ronquillo

- - - -

Councilmember Ronquillo returned to the meeting at 4:00 p.m.

President Mathys announced the next item to be considered would be the downtown stadium item (3:15 p.m.), whereupon a request was made to hear Item **5C**.

On motion of Councilmember Ronquillo, seconded by Vice President Briggs, duly carried, RESOLVED, Item 5C to be heard next, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo
Noes	:	Steitz, Mathys
Absent	:	None

Councilmember Steitz briefly left the meeting at 4:01 p.m.

(5C) DIRECT CITY MANAGER TO EVALUATE THE POSSIBILITY OF)
EXTENDING THE BOUNDARIES OF THE ENTERPRISE ZONE TO INCLUDE)
THE SOUTHWEST CORNER OF NIELSEN AND TEILMAN AVENUES -)
COUNCIL MEMBERS BRIGGS AND RONQUILLO)

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the City Manager directed to evaluate the possibility of extending the boundaries of the Enterprise Zone to include the southwest corner of Neilsen and Teilman Avenues, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Mathys
Noes	:	None
Absent	:	Steitz

Councilmember Steitz returned to the meeting at 4:01 p.m.

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(3:15 P.M.) DOWNTOWN STADIUM

- A. CONSIDER REVISED PROPOSAL RELATING TO THE MULTIPURPOSE STADIUM PROJECT AS PROPOSED BY THE FRESNO DIAMOND GROUP)**
- B. APPROVE SELF-FUNDED VOTER RATIFIED PUBLIC STADIUM MODEL)**

William Connolly, Chairman of the Board, Fresno Diamond Group, Fresno Grizzlies, and all associated entities, reviewed the issue and the “New and Improved Community Plan” proposal for a multi-purpose stadium emphasizing the proposal contained very important enhancements for the City of Fresno and elaborated.

(7 - 0) Alan Autry spoke in support of the stadium.

Larry Willey, President-Elect, Chamber of Commerce, commented on the issue and explained the financial aspects of the new proposal at length and urged unanimous support.

City Attorney Montoy read questions and answers at length on the new proposal for Council to consider in their deliberations, was briefly interrupted with President Mathys noting Council had received copies of what Ms. Montoy was reading from, and recommended speakers now be allowed to speak in the essence of time, with Council consensus. **(8 - 0)** Ms. Montoy respectfully expressed her objection for the record.

Speaking in support of the stadium were: Doug Davidian, 4585 N. Van Ness; James McFalane, 4226 N. Thompson, Clovis; and Bob Smitcamp.

A. Mullaly, 331 S. Dearing, spoke in opposition.

Continuing in support were: Tom Marsella, 2738 W. Roberts; Richard Johansen, Fresno Business Council, 1125 S. Sunnyside; Octavia Diener, California Transportation Commission; Lori Ramirez, Executive Director, ARC Fresno; Karry Yo Nakagawa, 4728 N. Glenn; Tom Estes, 34 E. Garland, Building Trades Council; Mina Olgin, 4677 E. White; Tom Sommers, 1261 W. San Ramon; and Mark Cameron, 9431 N. Woodson **(9 - 0)**.

Continuing in support were: C. A. Warren, 826 “E” Street; Gene Sperling, 1286 E. Stuart; Bob Christofferson, Economic Development Corp.; Anne Speake, President, Chamber of Commerce, 2331 Fresno St.; Brent Weiner, President, Downtown Association, 1201 Fulton Mall; an unidentified farmer; Jerry Duncan; Harry Campos, E. Lyell; an unidentified gentleman; Michael Kelton; John Kinder; Byron Snitz; and an unidentified gentlemen.

Councilmember Ronquillo expressed his support and made a motion to approve the New and Improved Community Plan proposal, which was subsequently amended and acted upon. Councilmember Quintero commented on the issue, shared some questions and concerns on the proposal noting he would not support any more changes or requests for additional funding, emphasized and confirmed with Mr. Connolly prevailing wages would be paid to workers on the project, **(10 - 0)** questioned the purpose of the points raised by the City Attorney, with Ms. Montoy responding, and stated he would support the proposal and commended staff and all others involved. President Mathys stated he would not support the motion and explained.

Mr. Connolly responded to questions of Councilmember Bredefeld relative to founders of the Diamond Group and the non-relocation agreement. Councilmember Bredefeld expressed his support for the stadium proposal, commended the leadership and efforts of all involved, and made a motion, seconded by Councilmember Ronquillo, to approve the New and Improved Community Plan proposal, as amended, which was further amended and acted upon after additional discussion.

Councilmember Perea and Vice President Briggs commended all involved and expressed their support for the proposal, with Vice President Briggs specifically crediting Councilmember Quintero for his quiet leadership stating it was he who brought the issue back to life.

Ms. Montoy recommended further amendments to the motion to include the City Manager and his staff in addition to the City Attorney and the Agency Director, and to eliminate preparation of ordinances relating to ticket scalping, sound levels, and sale of unlicensed merchandise at this time and explained, which amendments were accepted by Councilmember Bredefeld who directed all those issues be placed on the table.

Councilmember Steitz stated he would not support the motion and addressed his concerns at length (a copy of his written statement of concerns are on file in the office of the City Clerk), and made a substitute motion that the Diamond Group be required to present proof of financing prior to staff preparing any documents, which substitute motion died for lack of a second.

On motion of Councilmember Bredefeld, seconded by Councilmember Ronquillo, duly carried, RESOLVED, (1) a loan of \$8.5 million to the Fresno Diamond Group (FDG) hereby approved on the terms and conditions contained in the City Grant Term Sheet dated November 25, 1998, presented to the Council by William J. Connolly, Chairman of the Board of the FDG; (2) the 1994 Disposition and Development Agreement (D&DA) approved by Council on April 26, 1994, (Council Resolution No. 98-98), and entered into between the City of Fresno, the Redevelopment Agency of the City of Fresno, and the FDG, be revised in accordance with the terms and conditions contained in the Term Sheet for the Revised D&DA Agreement dated 11/25/98, presented to Council by Mr. Connolly; (3) the City Attorney, the City Manager and the Redevelopment Agency Director, and their respective staff, authorized and directed to immediately take all actions and complete all documents necessary to finalize the City loan and sale of the 11-acre parcel described in the 1994 D&DA to the FDG, subject to court validation, so that the stadium construction can be completed for use by the Fresno Grizzlies commencing at the beginning of the year 2000 baseball season; (4) the City Attorney, City Manager, Redevelopment Director and their staff authorized and directed to immediately begin the preparation of necessary documents in order to file an action with the Fresno County Superior Court, at the earliest time possible, to validate the City loan and funds; and (5) the City to take immediate action to secure the funds for the City loan at the lowest possible interest rate to the City, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo
Noes	:	Steitz, Mathys
Absent	:	None

Upon question of Councilmember Steitz, Ms. Montoy stated the action could not be vetoed by the Mayor.

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RECESS - 7:10 P.M. - 7:21 P.M. Councilmember Quintero was absent for the remainder of the meeting.

(5:00 P.M.) COUNCIL DISCUSSION/DIRECTION REGARDING THE)
HERNDON AVENUE (COVENTRY COURT) BIKE PATH)

Speaking to the issue were: Sue Blair, 7025 N. Pleasant 121, support for Exhibit “D” of the staff report; Bob Engleman, Fresno Cycling Club, 1881 E. Richmond, support for any alternative and urged bike transportation funds not be utilized towards the resolution; Michael Becker, Critical Mass, concurred with Mr. Engleman, and added he felt the issue was between the developer and the residents; Gene Richards, Critical Mass, 625 W. Lamona, **(11 - 0)** support for retaining the wall and trees; and Brad Hushaw, President, Coventry Court Homeowners Association, 7025 N. Pleasant, support for Exhibit “D”, and requested all involved groups to support Exhibit “D”.

President Mathys apologized to everyone involved, commented briefly on the issue, and made a motion to approve Exhibit “D”, which was acted upon after brief discussion on the developer obligation and contributing towards resolution, examining every funding source, and pursuing all litigation against the developer, with City Attorney responding to questions and advising the developer would only be obligated under Exhibit 1.

On motion of President Mathys, seconded by Councilmember Ronquillo, duly carried, **RESOLVED**, staff directed to implement Exhibit “D” of the staff report and determine a funding source, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	Quintero

Brief discussion ensued on the bringing back a resolution with a funding source, and developer obligation.

- - - -

(5:15 P.M.) DIRECT STAFF TO INCORPORATE INPUT FROM CYCLIST)
LIAISONS NICK PALADINO AND BOB ENGLEMAN OF THE FRESNO)
CYCLING CLUB, IN THE DEVELOPMENT OF A CITY-WIDE BICYCLE)
TRANSPORTATION PLAN TO BE EXPEDITED AND COMPLETED BY NO)
LATER THAN MARCH 31, 1999 - PRESIDENT MATHYS)
1. DIRECT STAFF TO SUBMIT ANY GRANT APPLICATION AVAILABLE)
UNDER THE BICYCLE LANES ACCOUNT UPON COMPLETION OF BICYCLE)
TRANSPORTATION PLANS)

Direction made. Councilmembers Steitz, Ronquillo, Perea and President Mathys left the meeting.

- - - -

(5D) DIRECT STAFF TO CONTINUE STANDARDS FOR NEW DEVELOPMENT)
ALONG HIGHWAY 41 CORRIDOR, SOUTH OF JENSEN TO THE SOUTHERLY)
CITY BOUNDARY; MONITOR AND ENFORCE STANDARDS INCLUDING)
APPROPRIATE LANDSCAPING AND FACADES WHICH PROMOTE PLEASING)
APPEARANCE ON FREEWAY CORRIDOR; DIRECT STAFF TO REQUEST)
FROM COUNTY A REVIEW OF ALL PROJECTS ALONG CORRIDOR SUBMIT-)
TED TO THE COUNTY WITHIN THE CITY'S SPHERE; AND RECOMMEND)
COUNTY TO ENFORCE SAME SET STANDARDS AS FOLLOWED BY THE)
CITY OF FRESNO - COUNCILMEMBER RONQUILLO)

Not discussed/laid over one week.

- - - -

(5E) DIRECT STAFF TO DRAFT A RESOLUTION TO NAME AND)
DESIGNATE THE WISHON AND BROADWAY BIKE LANE THE "JOYCE)
PERRY MEMORIAL BIKE ROUTE" - COUNCILMEMBER PEREA)

Not discussed/laid over one week.

- - - -

(5F) DIRECT STAFF TO PREPARE A RESOLUTION APPROPRIATING)
\$900 TO KINGS CANYON MIDDLE SCHOOL FOR AN AFTER SCHOOL)
PROGRAM - COUNCILMEMBER PEREA)

Not discussed/laid over one week.

- - - -

(5G) DIRECT STAFF TO PREPARE A RESOLUTION APPROPRIATING)
\$1,500 TO FRESNO CITY COLLEGE FOR AN AFTER SCHOOL PROGRAM -)
COUNCILMEMBER PEREA)

Not discussed/laid over one week.

- - - -

(5H) DIRECT THE CITY MANAGER TO DIRECT THE POLICE DEPART-)
MENT TO ESTABLISH IN FY 2000, A FULLY-FUNDED ELDERLY ABUSE)
UNIT - COUNCILMEMBER QUINTERO)

Not discussed/laid over one week.

- - - -

132-276

12/1/98

ADJOURNMENT

)

The hour of 7:43 p.m. having arrived and lacking a quorum, Vice President Briggs declared the meeting adjourned.

DATED this _____ day of _____, 1998.

ATTEST: _____

Mike Briggs, Vice President

Yolanda Salazar, Assistant City Clerk

132-277

12/1/98